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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.12787 of 2020
Date of Decision: 03.06.2020**

Raman Kumar

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. J.P.S. Chadha, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.0058 dated 06.04.2020 registered under Sections 323, 427, 308, 452, 506, 188 IPC at Police Station Division No.5, Jalandhar, District Jalandhar.

FIR was registered in the context of alleged entry of the petitioner in the house of the complainant and for giving indiscriminate beating /causing injuries with hockey. As per MLR of the complainant, three injuries were detected on his person

i.e. reddish contusion 6 cm x 2 cm right forearm, complain of pain left thigh back and complain of pain back-X-ray lumber sacrum advised. Similarly, father of the complainant namely Ashok Kumar also received three injuries i.e. complain of pain right wrist, complain of pain right hip and complain of pain right knee. All the injuries on the persons of the complainant party are without any visible injury except injury No.1 on the person of the complainant. Other injuries are complain of pain and all injuries have been declared simple with blunt weapon.

Learned counsel for the petitioner submits that there is no such injury which directly or indirectly may invoke culpability of the petitioner in terms of offence under Section 308 IPC. There is some past grievance of the parties *inter se*. A revision filed by the petitioner is pending consideration in the High Court in which bail has been granted to him. Petitioner was in Government service i.e. Employee of PSPCL as a Meter Reader. His services were terminated. Petitioner has his own version in the context of termination of his services as he had reported theft of power by the complainant party.

Per contra, learned State counsel opposed the plea of the learned counsel for the petitioner on the ground that the conduct of the petitioner has to be seen as he started giving indiscriminate blows with hockey on the persons of the

complainant and his father. Petitioner was involved in a case of harassing the sister of the complainant in which he was tried and convicted by the criminal Court.

Evidently, the petitioner is in custody since 06.04.2020. The complicity of the petitioner as per Medical evidence on record would be debatable in the context of offence under Section 308 IPC. Other injuries have been declared to be simple in nature. Challan has not been presented so far, but the petitioner is in judicial custody.

Keeping in view the aforesaid facts and circumstances of the case and without meaning anything on merits of the case, I deem it appropriate to grant regular bail to the petitioner subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate.

Nothing expressed hereinabove shall be construed to be an expression of any opinion on merits of the case.

June 03, 2020

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No